

HOUSE JOINT RESOLUTION 106

By Lynn

A RESOLUTION directing the General Assembly to review current occupational licensing laws and rules in order to establish if commerce is better served by a less restrictive means.

WHEREAS, the members of this General Assembly oppose unnecessary and burdensome government regulations on commerce and individual citizens; and

WHEREAS, we oppose the implementation of occupational licenses, certifications, or registrations unless needed to protect the immediate health, safety, or welfare of the public; and

WHEREAS, we believe reducing occupational licensing requirements will increase economic prosperity and employment in the states; and

WHEREAS, due to restrictive licensure requirements, states own the working "title" of hundreds of simple occupations, thereby preventing individuals with on-the-job training, natural talent, honed skills, and formal education from using a job title without state approval; and

WHEREAS, licensing requirements are often of little use to consumers and are instead used by private-sector entities to gain a competitive advantage through government intervention; and

WHEREAS, we should investigate if many current types of licensure should be made optional rather than mandatory as this may provide a competitive advantage for businesses that choose licensure while reducing costs for consumers; and

WHEREAS, it is found that by restricting competition, licensing decreases the rate of job growth by an average of twenty percent (20%). Licensing regulations are estimated to cost from \$34.8 to \$41.7 billion per year; and

WHEREAS, in addition, by providing protection from competition, occupational regulation stifles innovation and entrepreneurship, thereby suppressing future economic growth; and

WHEREAS, this General Assembly supports the entrepreneurial spirit of Americans and their right to seek economic liberty and improve their standard of living; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that this General Assembly shall commence to review current occupational licensing laws and rules in order to establish if commerce is better served by a less restrictive means such as voluntary registration and certification or no occupational regulation at all.

BE IT FURTHER RESOLVED, that the review shall include but not be limited to the following criteria:

1. If state licensure requirements are overly restrictive and burdensome.
2. If costs to consumers are unnecessarily increased.
3. If licensure test questions and continuing education requirements are logical or relevant, and the rate of passage or failure is examined.
4. How state employment is impacted by licensure requirements.
5. Consumer complaints and the enforcement activity of the board or commission.
6. If a less restrictive form of regulation or no regulation would better serve the public.